

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: REALTY MORTGAGE CORPORATION**

**APPELLANT**

**CIVIL ACTION NO.: 3:09-cv309-HTW-LRA**

**STIPULATION OF DISMISSAL**

COMES NOW Realty Mortgage Corporation (the “Appellant”), pursuant to Bankruptcy Rule 7041 and Federal Rule of Civil Procedure 41(a)(1) and files this Stipulation of Dismissal with regard to this action, and in support thereof, would show unto the Court the following:

**I.**

On May 22, 2009, Appellant filed its Notice of Appeal from Bankruptcy Court in connection with the Bankruptcy Court’s refusal to approve the settlement and compromise reached by, between and among the Appellant and Countrywide.

**II.**

However, subsequent to the filing of the Notice of Appeal in this matter, the Appellant and Bank of America/Countrywide settled and compromised their differences in the Bankruptcy Court.

**III.**

On December 15, 2009, the Bankruptcy Court entered an order approving the settlement that had been reached by and between the Bank of America and the Appellant, thereby resolving all open issues and “mooting” this appeal.

**IV.**

Accordingly, the Appellant, Realty Mortgage Corporation, hereby stipulates to the dismissal of the above styled and numbered appeal.

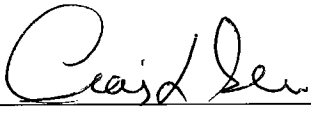
SO STIPULATED, this the 12<sup>th</sup> day of January, 2010.

Respectfully submitted,

REALTY MORTGAGE CORPORATION

By Its Counsel,

HARRIS JERNIGAN & GENO, PLLC

BY:   
Craig M. Geno, Esq.

OF COUNSEL:

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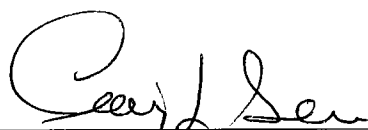
**CERTIFICATE OF SERVICE**

I, Craig M. Geno, do hereby certify this date, that I caused to be served via U. S. Mail, postage prepaid, a true and correct copy of the above and foregoing to:

Ronald H. McAlpin, Esq.  
Office of the United States Trustee  
[Ronald.McAlpin@usdoj.gov](mailto:Ronald.McAlpin@usdoj.gov)

Stephen W. Rosenblatt, Esq.  
[Steve.Rosenblatt@butlersnow.com](mailto:Steve.Rosenblatt@butlersnow.com)

THIS, the 12<sup>th</sup> day of January, 2009.

  
Craig M. Geno